

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIO MARCIAL GUZMAN,

Plaintiff,

-against-

DONALD TRUMP,

Defendant.

20-CV-8126 (CM)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$400.00 in fees – a \$350.00 filing fee plus a \$50.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but it is largely blank. Plaintiff did not answer the questions about his employment, assets or expenses, except that he states he receives an undisclosed amount for disability or worker’s compensation.¹ Because Plaintiff does not answer most of the questions concerning his financial situation, the Court is unable to conclude that he lacks sufficient funds to pay the relevant fees for this action.

Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$400.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 20-CV-7501 (CM), and address the deficiencies described above by providing facts to establish that he is unable to pay the filing

¹ Plaintiff has filed another lawsuit against President Donald Trump, in which he filed an incomplete IFP application. *See Guzman v. Trump*, ECF 1:20-CV-7501, 1 (S.D.N.Y.). In that IFP application, he checked the box indicating that he received income from “business profession, or other self-employment,” but he did not state in what amount. *See id.* at 1.

fees. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: October 5, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge